

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ROBERT BESEDIN, SR.,

**DOCKET NO.: CV-18-819
(NRM)(ST)**

Plaintiff,

-against-

COUNTY OF NASSAU, NASSAU COUNTY POLICE
DEPARTMENT, POLICE OFFICER STEPHEN
BECKWITH AND POLICE OFFICER JOHN
MANTOVANI in their individual and official capacities,

Defendants.

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VERDICT FORM

Pursuant to Rule 49 of the Federal Rules of Civil Procedure, plaintiff submits the following Proposed Verdict Sheet in connection with the trial of this action.

LIABILITY

FEDERAL CLAIMS:

False Arrest:

Question 1:

1. Has Plaintiff Robert Besedin proven by a preponderance of the evidence that he was subjected to false arrest by any of the Defendants?

STEPHEN BECKWITH YES _____ NO _____

JOHN MANTOVANI YES _____ NO _____

If your answer to Question 1 is "Yes" as to either Defendant, you have found a verdict in Plaintiff's favor with respect to his unlawful arrest claims. If the answer to Question 1 is "No" as to each of the Defendants, you have found in favor of the Defendants on this claim.

Regardless of your answer to this question, please proceed to Question 2.

Excessive Force:

Question 2:

2. Has Plaintiff Robert Besedin proven by a preponderance of the evidence that he was subjected to excessive force by either of the Defendants?

STEPHEN BECKWITH YES _____ NO _____

JOHN MANTOVANI YES _____ NO _____

If your answer to Question 2 is "Yes" as to either defendant, you have found a verdict in plaintiff's favor with respect to his excessive force claims. If the answer to Question 2 is "No" as to each of the defendants, you have found in favor of the defendants on this claim.

Regardless of your answer to this question, please proceed to Question 3.

Question 3:

3. Has Plaintiff Robert Besedin proven by a preponderance of the evidence that he was subjected to malicious prosecution by either of the Defendants?

STEPHEN BECKWITH YES _____ NO _____

JOHN MANTOVANI YES _____ NO _____

If your answer to Question 3 is "Yes" as to any defendant, you have found a verdict in plaintiff's favor with respect to his malicious prosecution claims. If the answer to Question 3 is "No" as to each of the defendants, you have found in favor of the defendants on this claim.

Regardless of your answer to this question, please proceed to Question 4.

Question 4:

4. Has Plaintiff Robert Besedin proven by a preponderance of the evidence that he was subjected to abuse of process by either of the Defendants?

STEPHEN BECKWITH YES _____ NO _____

JOHN MANTOVANI YES _____ NO _____

If your answer to Question 4 is "Yes" as to either defendant, you have found a verdict in plaintiff's favor with respect to these claims. If the answer to Question 4 is "No" as to each of the defendants, you have found in favor of the defendants on this claim.

Regardless of your answer to this question, please proceed to Question 5.

STATE LAW CLAIMS

Question 5:

5. Has Plaintiff Robert Besedin proven by a preponderance of the evidence that he was subjected to false arrest by any of the Defendants?

STEPHEN BECKWITH YES _____ NO _____

JOHN MANTOVANI YES _____ NO _____

NASSAU COUNTY YES _____ NO _____

If your answer to Question 5 is “Yes” as to any defendant, you have found a verdict in plaintiff’s favor with respect to these claims. If the answer to Question 5 is “No” as to each of the defendants, you have found in favor of the defendants on this claim.

Regardless of your answer to this question, please proceed to Question 6.

Question 6:

6. Has Plaintiff Robert Besedin proven by a preponderance of the evidence that he was subjected to battery by any of the Defendants?

STEPHEN BECKWITH YES _____ NO _____

JOHN MANTOVANI YES _____ NO _____

NASSAU COUNTY YES _____ NO _____

If your answer to Question 6 is “Yes” as to any defendant, you have found a verdict in plaintiff’s favor with respect to these claims. If the answer to Question 6 is “No” as to each of the defendants, you have found in favor of the defendants on this claim.

Regardless of your answer to this question, please proceed to Question 7.

Question 7:

7. Has Plaintiff Robert Besedin proven by a preponderance of the evidence that he was subjected to assault by any of the Defendants?

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| STEPHEN BECKWITH | YES _____ | NO _____ |
|------------------|-----------|----------|

| | | |
|----------------|-----------|----------|
| JOHN MANTOVANI | YES _____ | NO _____ |
|----------------|-----------|----------|

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| NASSAU COUNTY | YES _____ | NO _____ |
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If your answer to Question 7 is “Yes” as to any defendant, you have found a verdict in plaintiff’s favor with respect to these claims. If the answer to Question 7 is “No” as to each of the defendants, you have found in favor of the defendants on this claim.

Regardless of your answer to this question, please proceed to Question 8.

Question 8:

8. Has Plaintiff Robert Besedin proven by a preponderance of the evidence that he was subjected to abuse of process by any of the Defendants?

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|------------------|-----------|----------|
| STEPHEN BECKWITH | YES _____ | NO _____ |
|------------------|-----------|----------|

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| JOHN MANTOVANI | YES _____ | NO _____ |
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|---------------|-----------|----------|
| NASSAU COUNTY | YES _____ | NO _____ |
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If your answer to Question 8 is “Yes” as to any defendant, you have found a verdict in plaintiff’s favor with respect to these claims. If the answer to Question 8 is “No” as to each of the defendants, you have found in favor of the defendants on this claim.

If you have answered "Yes" to any of Questions 1-8 please proceed to Question 9. If you have answered "No" to all of Questions 1-8, you have found a verdict in favor of the defendants on all of plaintiff’s claims. Please turn to the last page of this Verdict Sheet, have the Foreperson sign it and inform the Court that you have reached a verdict.

DAMAGES

Compensatory Damages:

Question 9:

9. What amount of damages has plaintiffs established that Robert Besedin, Sr. sustained a result of one or more of the defendants having unlawfully arrested and/or having used excessive force and/or maliciously prosecuted and/or abused process, and/or assaulting, and/or battering as to him?

\$ _____ physical injuries

\$ _____ time spent in Nassau County Jail

\$ _____ past conscious pain and suffering

\$ _____ future conscious pain and suffering

\$ _____ past mental suffering, emotional distress and psychological injury damages

\$ _____ future mental suffering, emotional distress and psychological injury damages

Punitive Damages:

10. In addition to any compensatory damages you have awarded Plaintiff, which compensates him for the damages he actually suffered, do you find that one or more of the Defendants should pay punitive damages? If so, please state the amount.

STEPHEN BECKWITH YES _____ NO _____ \$ _____

JOHN MANTOVANI YES _____ NO _____ \$ _____

You have completed your deliberations. The Foreperson should date and sign below. Then you should advise the Court that you have completed your deliberations.

Dated: Central Islip, New York
October __, 2024

Signed: _____
Foreperson